

## REMARKS/ARGUMENTS

In the Office Action mailed September 25, 2007, claims 1-29 were rejected. In response, Applicants hereby request reconsideration of the application in view of the below-provided remarks. No claims are added or canceled.

### Claim Rejections under 35 U.S.C. § 103

Claims 1, 6-8, 10, 12, 15, 19, 24, 25, and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis (U.S. Pub. No. US 2007/0094354, hereinafter Soltis) in view of Byrnes (U.S. Pub. No. 2005/0138162, hereinafter Byrnes). Claims 2, 11, and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of Nishanov (U.S. Pub. No. 2003/0065782, hereinafter Nishanov). Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of Nishanov, and further in view of Collins et al. (U.S. Pub. No. 2002/0188733, hereinafter Collins). Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of Nishanov, and further in view of Porter et al. (U.S. Pub. No. 2005/0123122, hereinafter Porter). Claims 9, 17, 21, and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of O'Toole, Jr. et al. (U.S. Pat. No. 7,254, 636, hereinafter O'Toole). Claims 13 and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of Porter. Claims 14, 18, 22, and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of Coates et al. (U.S. Pat. No. 6,952,737, hereinafter Coates). Claims 20 and 26 were rejected were rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis in view of Byrnes, and further in view of Collins. However, Applicants respectfully submit that these claims are patentable over Soltis, Byrnes, Nishanov, Collins, Porter, O'Toole, and Coates for the reasons provided below.

### Independent Claim 1

Independent claim 1 recites, inter alia, “a metadata management module configured to minimize metadata processing on the apparatus by communicating at least a portion of the metadata to the storage server to be exclusively stored in a centralized metadata database on the storage server, the metadata associated with file data corresponding to a client” (emphasis added).

Applicants submit that the combination of Soltis and Byrnes does not teach the indicated limitation of independent claim 1. The Office Action concedes that Soltis does not teach a metadata management module configured to minimize metadata processing on the apparatus by communicating at least a portion of the metadata to the storage server to be exclusively stored in a centralized metadata database on the storage server, as recited in the claim. Office Action, page 4. Additionally, Byrnes also fails to teach a metadata management module configured to minimize metadata processing on the apparatus by communicating at least a portion of the metadata to the storage server to be exclusively stored in a centralized metadata database on the storage server, as recited in the claim. Although the Office Action contends that Byrnes teaches the indicated limitation, this contention is respectfully traversed.

Byrnes relates to managing a user’s storage resource quota and teaches a system management service 17 which includes a distributed metadata service (MDS) 15. Byrnes, page 2, paragraphs 25-27; Fig. 1. In particular, Byrnes expressly teaches several distributed scalable services, including a scalable distributed Metadata Service (MDS) 15. In other words, the scalable distributed metadata service (MDS) 15 is, by name and definition, distributed. Byrnes, page 2, paragraph 25, lines 23-29; Fig. 1. Hence, the metadata is distributed. Although Byrnes does not appear to describe the specific devices over which the metadata is distributed, Byrnes apparently implies that the metadata is distributed over a plurality of devices connected to the internal network 14 such as a switched Internet protocol (IP) based network. Moreover, Byrnes does not describe any implementations in which metadata might be exclusively stored in a centralized metadata database.

Therefore, the combination of Soltis and Byrnes does teach all of the limitations of the claims because Byrnes does not teach a metadata management module configured

to minimize metadata processing on the apparatus by communicating at least a portion of the metadata to the storage server to be exclusively stored in a centralized metadata database on the storage server, as recited in the claim. Accordingly, Applicants respectfully submit that claim 1 is patentable over the combination of Soltis and Byrnes because the combination of Soltis and Byrnes does not teach all of the limitations of the claim. Hence, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

#### Independent Claim 10

Applicants respectfully assert independent claim 10 is patentable over the combination of cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. In particular, claim 10 recites “a centralized metadata database configured to exclusively store at least a portion of metadata from the storage agent, the metadata associated with file data and received by the storage agent from a client via a data access request” (emphasis added).

Here, although the language of claim 10 differs from the language of claim 1, and the scope of claim 10 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to the rejection of claim 1 also apply to the rejection of claim 10. Accordingly, Applicants respectfully assert claim 10 is patentable over the combination of cited references at least because Byrnes does not teach a centralized metadata database configured to exclusively store at least a portion of metadata from the storage agent, as recited in the claim.

#### Independent Claim 15

Applicants respectfully assert independent claim 15 is patentable over the combination of cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. In particular, claim 15 recites “a client computer connected to the first and second networks, the client computer having a storage management client and a metadata management module, the storage management client configured to communicate with the storage server and coordinate use of the storage device, and the metadata management module configured to minimize metadata

processing on the client computer by communicating at least a portion of the metadata to the storage server to be exclusively stored in the centralized metadata database, the metadata associated with the file data” (emphasis added).

Here, although the language of claim 15 differs from the language of claim 1, and the scope of claim 15 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to the rejection of claim 1 also apply to the rejection of claim 15. Accordingly, Applicants respectfully assert claim 15 is patentable over the combination of cited references at least because Byrnes does not teach a centralized metadata database, as recited in the claim.

#### Independent Claim 19

Applicants respectfully assert independent claim 19 is patentable over the combination of cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. In particular, claim 19 recites “communicating the metadata to a storage server and exclusively storing at least a portion of the metadata in a centralized metadata database on the storage server” (emphasis added).

Here, although the language of claim 19 differs from the language of claim 1, and the scope of claim 19 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to the rejection of claim 1 also apply to the rejection of claim 19. Accordingly, Applicants respectfully assert claim 19 is patentable over the combination of cited references at least because Byrnes does not teach communicating the metadata to a storage server and exclusively storing at least a portion of the metadata in a centralized metadata database on the storage server, as recited in the claim.

#### Independent Claim 25

Applicants respectfully assert independent claim 25 is patentable over the combination of cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. In particular, claim 25 recites “communicating the metadata to a storage server and exclusively storing at least a portion of the metadata in a centralized metadata database on the storage server” (emphasis added).

Here, although the language of claim 25 differs from the language of claim 1, and the scope of claim 25 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to the rejection of claim 1 also apply to the rejection of claim 25. Accordingly, Applicants respectfully assert claim 25 is patentable over the combination of cited references at least because Byrnes does not teach communicating the metadata to a storage server and exclusively storing at least a portion of the metadata in a centralized metadata database on the storage server, as recited in the claim.

#### Independent Claim 29

Applicants respectfully assert independent claim 29 is patentable over the combination of cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. In particular, claim 29 recites “means for communicating the metadata to a storage server and exclusively storing at least a portion of the metadata in a centralized metadata database on the storage server” (emphasis added).

Here, although the language of claim 29 differs from the language of claim 1, and the scope of claim 29 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to the rejection of claim 1 also apply to the rejection of claim 29. Accordingly, Applicants respectfully assert claim 29 is patentable over the combination of cited references at least because Byrnes does not teach means for communicating the metadata to a storage server and exclusively storing at least a portion of the metadata in a centralized metadata database on the storage server, as recited in the claim.

#### Dependent claims 2-9, 11-14, 16-18, 20-24, and 26-28

Claims 2-9, 11-14, 16-18, 20-24, and 26-28 depend from and incorporate all of the limitations of the corresponding independent claims 1, 10, 15, 19, and 25, which are patentable over the cited references. Applicants respectfully submit that dependent claims 2-9, 11-14, 16-18, 20-24, and 26-28 are also patentable over the cited references based on allowable base claims. Additionally, each of claims 2-9, 11-14, 16-18, 20-24,

and 26-28 may be allowable for further reasons. Accordingly, Applicants request that the rejections of claims 2-9, 11-14, 16-18, 20-24, and 26-28 under 35 U.S.C. § 103(a) be withdrawn.

### **CONCLUSION**

Applicants respectfully request reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact the attorney listed below.

Respectfully submitted,

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